

## Federal Communications Commission

§ 73.5002

### § 73.4266 Tender offer and proxy statements.

See *Policy Statement*, MM Docket 85-218, FCC 86-67, adopted January 30, 1986. 51 FR 9794, March 21, 1986.

[51 FR 26251, July 22, 1986]

### § 73.4267 Time brokerage.

(a) See *Policy Statement*, Docket 78-355, FCC 80-621, adopted October 21, 1980. 82 FCC 2d 107.

(b) See *Report and Order*, MM Docket 91-140, FCC 92-97, adopted March 12, 1992. 7 FCC Rcd 2755; 57 FR 18089, April 29, 1992.

(c) See *Memorandum Opinion and Order and Further Notice of Proposed Rule Making*, MM Docket 91-140, FCC 92-361, adopted August 5, 1992. 7 FCC Rcd 6387; 57 FR 42701, September 16, 1992.

[47 FR 3792, Jan. 27, 1982, as amended at 59 FR 52087, Oct. 14, 1994]

### § 73.4275 Tone clusters; audio attention-getting devices.

See *Public Notice*, FCC 76-610, dated July 2, 1976. 60 FCC 2d 920; 41 FR 28582, July 12, 1976.

[44 FR 36389, June 22, 1979]

### § 73.4280 Character evaluation of broadcast applicants.

(a) See *Report and Order and Policy Statement*, Gen. Docket 81-500, BC Docket 78-108, FCC 85-648, adopted December 10, 1985. 102 FCC 2d 1179; 51 FR 3049, January 23, 1986.

(b) See *Policy Statement and Order*, FCC 90-195, adopted May 10, 1990. 5 FCC Rcd 3252, 55 FR 23082, June 6, 1990.

(c) See *Memorandum Opinion and Order*, FCC 91-146, adopted May 1, 1991. 6 FCC Rcd 3448, 56 FR 25633, June 5, 1991.

(d) See *Memorandum Opinion and Order*, FCC 92-448, adopted September 18, 1992. 7 FCC Rcd 6564, 57 FR 47410, October 16, 1992.

[59 FR 52087, Oct. 14, 1994]

## Subpart I—Procedures for Competitive Bidding and for Applications for Noncommercial Educational Broadcast Stations on Non-Reserved Channels

SOURCE: 63 FR 48629, Sept. 11, 1998, unless otherwise noted.

### § 73.5000 Services subject to competitive bidding.

(a) Mutually exclusive applications for new facilities and for major changes to existing facilities in the following broadcast services are subject to competitive bidding: AM; FM; FM translator; analog television; low power television; television translator; Instructional Television Fixed Service (ITFS); and Class A television. Mutually exclusive applications for minor modifications of Class A television and television broadcast are also subject to competitive bidding. The general competitive bidding procedures set forth in part 1, subpart Q of this chapter will apply unless otherwise provided in part 73 or part 74 of this chapter.

(b) Mutually exclusive applications for broadcast channels in the reserved portion of the FM band (Channels 200-220) and for television broadcast channels reserved for noncommercial educational use are not subject to competitive bidding procedures. Applications for noncommercial educational broadcast stations, as described in 47 U.S.C. 397(6), on non-reserved channels also are not subject to competitive bidding procedures.

[63 FR 48629, Sept. 11, 1998, as amended at 67 FR 45374, July 9, 2002; 68 FR 26228, May 15, 2003]

### § 73.5001 [Reserved]

### § 73.5002 Application and certification procedures; return of mutually exclusive applications not subject to competitive bidding procedures; prohibition of collusion.

(a) Prior to any broadcast service or ITFS auction, the Commission will issue a public notice announcing the upcoming auction and specifying the period during which all applicants seeking to participate in an auction, and all applicants for noncommercial